

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

BRIAN DOUGLAS WIDLAND,

Plaintiff,

v.

PIERCE COUNTY, *et al.*,

Defendants.

Case No. C23-5719-TSZ-SKV

ORDER TAKING PLAINTIFF'S
MOTION FOR APPOINTMENT OF
COUNSEL UNDER ADVISEMENT

This is a civil rights action proceeding under 42 U.S.C. § 1983. Plaintiff Brian Widland is currently confined at the Pierce County Jail. He has submitted to the Court for consideration a motion for appointment of counsel. Dkt. 8. Defendants have not yet been served in this matter and, thus, no response to Plaintiff's pending motion is anticipated. The Court, having reviewed Plaintiff's motion, and the balance of the record, hereby ORDERS as follows:

(1) Plaintiff's motion for appointment of counsel (Dkt. 8) is taken under advisement and is STRICKEN from the Court's calendar at this time. Plaintiff requests that counsel be appointed to represent him in this case, and he argues in support of his request that he cannot afford to hire counsel, that he has limited access to the law library and limited knowledge of the

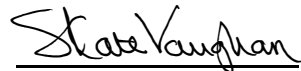
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1 law, and that this case is complex. *See id.*; Dkt. 8-1. Plaintiff also asserts that previous cases
2 similar to the instant action have been proven to have merit in a court of law. Dkt. 8 at 1.

3 The instant action is one of a number of cases filed in recent months by Pierce County
4 Jail inmates asserting claims concerning the plumbing and sewage system at the Jail. The Court
5 has appointed counsel in one such case, *Wolfclan v. Washington State DSHS*, C23-5399-TSZ-
6 SKV, Dkt. 84. The *Wolfclan* case was filed by Pierce County Jail inmate Echota C. Wolfclan, as
7 a proposed class action. Mr. Widland previously sought leave to be added as a Plaintiff in that
8 action. *See Wolfclan*, C23-5399-TSZ-SKV, Dkt. 30. While it is unknown at this juncture
9 whether Mr. Widland will end up as a participant in the *Wolfclan* case, the Court deems it
10 appropriate to defer its ruling on Mr. Widland's motion for appointment of counsel in the instant
11 action until there is greater clarity surrounding the *Wolfclan* case and how it is likely to proceed.

12 (2) The Clerk is directed to send copies of this Order to Plaintiff, to counsel for
13 Defendants, and to the Honorable Thomas S. Zilly.

14 DATED this 20th day of December, 2023.

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17 S. KATE VAUGHAN
18 United States Magistrate Judge
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